

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

The Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the Annual Performance Report (APR)/State Performance Plan (SPP) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning: (a) the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises the RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The SEAC reviewed the draft and provided suggestions and input. These were incorporated into the final copy of this document. Progress and slippage in meeting the targets in the SPP are discussed in detail in each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

http://www.ride.ri.gov/Special_Populations/State_federal_regulations/Default.aspx.

Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). This year per OSEP, RIDE will publicly report on Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13, and 14. This, per OSEP, will occur no later than June 2, 2010. The link to access Rhode Island's public reporting information which details the performance of each LEA on the targets in the SPP is:

https://www.eride.ri.gov/eride2K5/SPED_PublicReporting/.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition

services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

NOTE:

- ***States are not required to report actual target data for this indicator in the FFY 2008 APR. If a State reports actual target data for this indicator, OSEP will consider the data in the Determination process.***
- ***This template is ONLY for reporting in the FFY 2008 APR on the timely correction of noncompliance reported in the FFY 2007 APR.***

Correction of FFY 2007 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 94.99%

Rhode Island had 258 questionable records were flagged for further examination/data drill down. To ensure 100% compliance with this indicator, RIDE sent a letter to each of the 28 LEA Special Education Directors in December, 2008 with a list of each student's record that was missing the essential indicator 13 data. RIDE identified 28 findings of non-compliance for indicator 13. The directors were asked to examine the questionable record(s) and report back to RIDE if the record was (A) a data entry error, (B) a non-compliant record or (C) if the student was no longer in the district. For all records indicated as (B), a non-compliant record, the director was asked to sign an assurance that the IEP teams would be reconvened within 60 days and the transition goals sections of the IEP would be completed.

Based on the reports returned to RIDE on January 9, 2008 regarding the 258 questionable records.

113 records were reported as errors in data entry to the Special Education Census and corrected

72 records were non-compliant IEPs, missing essential transition goals

73 records were no longer recoverable or the student arrived in the district with an out of state IEP (i.e. an IEP from another state without discernable transition information) or had since moved or graduated.

For the 72 non-compliant IEPs, the LEA Special Education Director signed the assurance that the non-compliant IEPs would have teams reconvened and compliant IEPs would be developed within 60 days.

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	28
2. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	28
3. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	N/A
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5. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	
6. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions Taken if Noncompliance Not Corrected:

For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

N/A, See *Collecting Indicator 13 Data in Rhode Island* (below).

Verification of Correction (either timely or subsequent):

For those findings for which the State has reported correction, describe the process the State used to verify that the LEA: 1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02.

Collecting Indicator 13 Data in Rhode Island

RIDE is has decided to utilize the special education census as a means to monitor compliance with this indicator. As the data is collected by each district form every IEP form and entered into the RIDE census data system, RIDE is able to target LEA's with poor compliance for this indicator and provide targeted intervention. This method was initially chosen over utilization of the monitoring process because it allowed RIDE to monitor every IEP for essential compliance with this indicator.

In October 2005, RIDE provided guidance to all LEAs regarding the changes in IDEA 2004 related to the secondary transition requirements. This guidance included information of the development of measurable transition goals, Summary of Performance and other relevant changes. In February 2006 RIDE released an index of transition assessment instruments that schools may consider for meeting the measurable transition goal requirement and a series of trainings were offered for district personnel through the five Regional Transition Centers. Rhode Island hosted a statewide transition conference in April 2008 which featured many transition assessment tools and transition practices related to compliance on this indicator. Training and technical assistance has continued in 2008 and into 2009 with the release of a revised Transition Assessment Tools Guide for districts and a series of one day conferences devoted to transition assessment practices.

In December 2006 LEAs were required to begin reporting to RIDE, through the special education census, the completion of two sections of each student's IEP for students age 16 and above.

1. If the student was present at the IEP meeting, and
2. If the transition (long term) goal section of the IEP was completed for goals in employment, post-secondary education, independent living and community participation. If goals were not reported in each area, then the LEA would report if the rationale section for not having transition goals was completed or not.

Rhode Island requires LEAs to use the state IEP form so recovery of this information is consistent across all LEAs.

The data collected for 2006 APR was not complete. As the data was tabulated in 2006, RIDE discovered that some LEA's were not recording the data required or were not recording the data correctly. As a result, RIDE has installed an error feature on the census system that prevented the submission of a record without these fields being completed correctly. This feature went into full effect with the June 2007 census report and has allowed RIDE to report all LEA's in the 2007 APR.

RIDE was not able to verify data for district level compliance for this indicator for FY2006 due to the absence of valid and reliable data. RIDE was unable to address timely correction due to the absence of data, this has been corrected for FY2007.

Although institution of the error feature in the special education census has allowed RIDE to report if the student participated in the IEP meeting and if measurable goals for transition were developed (and if not a rational was provided), this does not fully address the portion of this indicator which states that goals "will reasonably enable the student to meet the post-secondary goals". To address this portion of the indicator, RIDE developed features in the new state IEP form which went into effect July 1, 2008. The following table indicates the data that will be collected through the state special education census from the new IEP form. (The Rhode Island state IEP form and instructions may be viewed at: <http://www.ritap.org/iep/publications/publication.html>)

Rhode Island IEP Page	Item	Information reported
1	Date of Birth = 16 plus	"Percent of youth age 16 and older with an IEP..." (Ind. 13)
2	Student at IEP meeting - yes/no	Student participation in transition planning (not specific in indicator 13 but illustrates student involvement including consideration of preferences and interest)
3	Assessment Tools - one or more assessment tool listed on IEP yes/no	Based on age appropriate transition assessment (not specific in indicator 13 but a compliance item in IDEA)
3	Measurable Post-school goals - List one or more yes/no	"...coordinated, measurable, annual IEP goals..." (Ind. 13)
5	Transition services - List one or more yes/no	"...and transition services... (Ind. 13)
6	Assurance of Transition Services - Assurance checked off with response yes/no	"... reasonable enable he student to meet the post-secondary goals." (Ind. 13) Student agrees/disagrees.

By the 2009 census, all IEPs will include the required data for indicator 13.

Through the RIDE School Support System focused monitoring process (compliance monitoring), RIDE has always monitored LEAs for compliance with the secondary transition requirements of IDEA. This has been completed through record review, student and parent interview and on-site monitoring. LEAs with issues of noncompliance for the transition requirements are notified in the School Support System report and are provided a deadline for compliance. RIDE schedules a follow-up verification review to ensure compliance with noncompliant items based on the nature of the issue, but no more that one year from the release of the report.

Although the number of record review is not large enough to allow sampling for Indicator 13, RIDE has drafted a protocol to examine records for complete compliance with indicator 13. The protocol is being

piloted on two visits in early 2010. The finalized protocol is expected for full implementation in September 2010. On site record examination coupled with data generated through the special education census will provide RIDE with a complete picture of compliance for each LEA on indicator 13.

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable):

For FFY 2006 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance

1. Number of remaining FFY 2006 findings noted in OSEP's June 1, 2009 FFY 2007 APR response table for this indicator	N/A
2. Number of remaining FFY 2006 findings the State has verified as corrected	
3. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	0

Correction of Any Remaining Findings of Noncompliance from FFY 2005 or Earlier (if applicable):

Provide information regarding correction using the same format provided above.

N/A

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR.	Information provided in this report.
The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each youth, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP memo 09-02.	Each district signed an assurance that noncompliant IEPs have been corrected with 60 days. Implementation of the error feature for reporting indicator 13 data in the RIDE special education census has resulted in close attention to compliance with indicator 13 requirements. Complete analysis of compliance utilizing the new state required IEP form will be available with the FY2009 APR.